

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MISSOURI PRIMATE FOUNDATION, et al.,

Plaintiffs and Counterclaim
Defendants;

v.

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, INC., et al.,**

Defendants and
Counterclaim Plaintiffs.

Case No. 4:16-cv-02163

DECLARATION OF JARED GOODMAN

Pursuant to 28 U.S.C. § 1746, I, Jared Goodman, state as follows:

1. I am counsel of record for Defendants and Counterclaim Plaintiffs People for the Ethical Treatment of Animals, Inc. and Angela Scott (together, "Plaintiffs"). I make this declaration based upon my personal knowledge and upon information available to me as Plaintiffs' counsel.

2. Exhibit A is a true and correct copy of email correspondence between myself and Kurtis Reeg, from February 23, to February 26, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

February 26, 2018

Los Angeles, CA

/s/ Jared Goodman

Jared Goodman

Exhibit A

Jared Goodman

From: Reeg, Kurtis B. <kreeg@goldbergsegalla.com>
Sent: Monday, February 26, 2018 11:16 AM
To: Jared Goodman
Cc: James P. Martin - Polsinelli (jmartin@polsinelli.com); Martina Bernstein
Subject: Re: MPF v. PETA, Counterclaim Plaintiffs' Discovery Requests

Jared:

As I told you on Friday, I am out of town engaged in another proceeding and not presently able to amend my pleadings. We did discuss 45 days during the call on Friday and I do not recall you objecting at the time; nor did we discuss ever discuss entry of any default at any time under any circumstances. In fact, your local counsel Mr. Martin suggested the tabling of proceedings while substitute counsel was retained.

If you now wish to file your position on our motion, you are free to do so. Since I am presently unavailable I would ask you to attach this e-mail string to your filing. I appreciate your anticipated cooperation.

Kurt

On Feb 26, 2018, at 1:03 PM, Jared Goodman <JaredG@PetaF.org> wrote:

Kurt,

We're in receipt of your motion to withdraw. While Counterclaim Plaintiffs do not object to your withdrawal from the case, the motion and proposed order indicate consent to the 45-or-more day stay of discovery. As you know, we've not conferred on this, and we do indeed object to both the length of time requested for substitute counsel to appear and that all discovery is stayed during that time.

We propose to stay all currently running discovery deadlines for 30 days, provided that (i) Counterclaim Defendants agree for substitute counsel to enter an appearance no later than March 30, 2018; and (ii) if Counterclaim Defendants fail to obtain substitute counsel by the agreed upon deadline, Counterclaim Defendant MPF will consent to the entry of a default judgment in favor of Counterclaim Plaintiffs. See, e.g., *Schoemehl v. All-Tech Sec., Inc.*, 2007 WL 1464379, at *2 ([E.D.Mo.](#) 2007); *Carpenters' Dist. Council of Greater St. Louis v. Evans Concrete, Inc.*, 2008 WL 5191338, at *3 ([E.D.Mo.](#) 2008).

Please immediately withdraw and correct the motion filed this morning to either reflect the terms above, or that Counterclaim Plaintiffs do not consent to the terms of the proposed withdrawal. If you would like to confer on this further, I am available now.

Jared

Jared Goodman
Director of Animal Law
PETA Foundation
2154 W. Sunset Blvd.
Los Angeles, CA 90026
T: (323) 210-2266
F: (213) 484-1648
M: (516) 319-5906

This message may be protected by the attorney-client privilege and/or the attorney work product doctrine. If you believe you have received this message in error, please reply to the sender that it has been sent in error and delete the message. Thank you.

From: Reeg, Kurtis B. [<mailto:kreeg@goldbergsegalla.com>]
Sent: Saturday, February 24, 2018 6:01 AM
To: Jared Goodman <JaredG@PetaF.org>
Cc: James P. Martin - Polsinelli (jmartin@polsinelli.com) <jmartin@polsinelli.com>; Martina Bernstein <MartinaB@petaf.org>
Subject: Re: MPF v. PETA, Counterclaim Plaintiffs' Discovery Requests

I suggest we tie responses to the discovery for all of us at least to the permissible time limit which starts ticking with the deadline the judge permits new counsel to enter. We can put that in the report you guys are drafting. This would apply to all parties. Thx. Kurt

On Feb 23, 2018, at 7:31 PM, Jared Goodman <JaredG@PetaF.org> wrote:

Kurt,

Your request is acknowledged and we'll get back to you early next week after we've had the opportunity to confer.

Jared

Jared Goodman
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From: Reeg, Kurtis B. [<mailto:kreeg@goldbergsegalla.com>]
Sent: Friday, February 23, 2018 5:02 PM
To: Jared Goodman <JaredG@PetaF.org>
Cc: James P. Martin - Polsinelli (jmartin@polsinelli.com) <jmartin@polsinelli.com>; Martina Bernstein <MartinaB@petaf.org>
Subject: Re: MPF v. PETA, Counterclaim Plaintiffs' Discovery Requests

Jared:

I would like an extension to respond to your discovery until new counsel is retained. Kurt

>



New York | Illinois | Florida | California | Maryland | Missouri
North Carolina | Pennsylvania | New Jersey | Connecticut | United Kingdom

Kurtis B. Reeg, Esq.

Partner

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This email message and any attachments are confidential. If you are not the intended recipient, please immediately reply to the sender and delete the message from your email system. Thank you.

Privileged Attorney-Client Communication / Attorney's Work Product

On Feb 23, 2018, at 5:56 PM, Jared Goodman <JaredG@PetaF.org> wrote:

>

> Kurt,

>

> Exhibits 11-20 to the Second Requests for Admission are attached here.

>

> Jared

>

> Jared Goodman

> Director of Animal Law

> PETA Foundation

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>

> From: Jared Goodman

> Sent: Friday, February 23, 2018 3:53 PM

> To: 'Reeg, Kurtis B.' <kreeg@goldbergsegalla.com>

> Cc: James P. Martin - Polsinelli (jmartin@polsinelli.com) <jmartin@polsinelli.com>;

Martina Bernstein (MartinaB@petaf.org) <MartinaB@petaf.org>

> Subject: MPF v. PETA, Counterclaim Plaintiffs' Discovery Requests

>

> Kurt,

>

> As we discussed during our Rule 26(f) conference this morning, the parties may now seek discovery pursuant to Rule 26(d) and responses to Counterclaim Defendants' previously-served requests will be due thirty days from today.

>

> Accordingly, attached please find PETA and Angela Scott's (1) First Requests for Production of Documents, (2) First Interrogatories, (3) First Requests for Admission, and

(4) Second Requests for Admission. I've included a Word version of each for your convenience. There are twenty exhibits to the Second Requests for Admission – I have attached 1-10 here, and due to the size of this email, 11-20 will be sent in a message immediately to follow.

>

> Thank you.

>

> Jared

>

> Jared Goodman

> Director of Animal Law

> PETA Foundation

> 2154 W. Sunset Blvd.

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>

> <Exhibits 11-20 to PETA's Second Requests for [Admission.zip](#)>